

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JIMMIE D. WINDHAM III,

Defendant.

8:22CR11

ORDER

This matter is before the court on Defendant's Motion to Continue Trial and Unopposed Motion to File Pretrial Motions Out of Time [34]. For good cause shown, I find that the motion should be granted. Defendant will be given an approximate 30-day extension. Pretrial Motions shall be filed by July 22, 2022.

IT IS ORDERED:

1. Defendant's Motion to Continue Trial and Unopposed Motion to File Pretrial Motions Out of Time [34] is granted. Pretrial motions shall be filed on or before July 22, 2022.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the time between June 22, 2022 and July 22, 2022, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

3. The Jury Trial set for July 5, 2022 at 9:00 AM in Special Proceedings, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, NE before Judge John M. Gerrard is canceled and will be reset after pretrial motion deadline.

Dated this 23rd day of June, 2022.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge